

House File 412 - Introduced

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A BILL FOR

1 An Act requiring certain employers to provide leave for school
2 conferences and classroom activities, providing penalties,
3 and including applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **302.1 Definitions.**

2 As used in this chapter, unless the context otherwise
3 requires:

4 1. "*Child*" means a biological, adopted, or foster child,
5 or stepchild or legal ward, of an employee, who is enrolled in
6 a school in this state.

7 2. "*Employer*" means a person who employs fifty or more
8 employees in this state.

9 3. "*School*" means a public or nonpublic school located in
10 this state.

11 Sec. 2. NEW SECTION. **302.2 School conference and classroom**
12 **activity leave.**

13 An employer shall grant an employee at least eight hours
14 of leave during any twelve-month period to attend school
15 conferences or classroom activities relating to the employee's
16 child if the conference or activity cannot be scheduled outside
17 of the employee's scheduled work hours. The employee shall
18 consult with the employer to schedule the leave so as not to
19 unduly disrupt the operations of the employer.

20 Sec. 3. NEW SECTION. **302.3 Limitations on leave.**

21 1. An employer is not required to grant an employee more
22 than four hours of leave pursuant to this chapter.

23 2. An employer is not required to grant leave under this
24 chapter if granting such leave would result in more than five
25 percent of the employer's work force or five percent of an
26 employee's work shift taking such leave at the same time.

27 3. An employer may require an employee to use accrued
28 vacation leave or any other time off from work for which the
29 employee is eligible, other than sick leave, before granting
30 the employee leave pursuant to this chapter.

31 Sec. 4. NEW SECTION. **302.4 Compensation optional — make-up**
32 **time.**

33 An employer is not required to pay an employee for leave
34 taken pursuant to this chapter. An employer shall not require
35 an employee who uses leave pursuant to this chapter to make

1 up the time taken. An employer shall pay the rate for normal
2 working time if an employee makes up the time taken. An
3 employer shall make a good-faith effort to permit an employee
4 to make up the time taken. An employer is not required to
5 schedule make-up time in a manner that would require the
6 payment of overtime pay.

7 Sec. 5. NEW SECTION. **302.5 Penalty.**

8 An employer who violates this chapter is guilty of a simple
9 misdemeanor.

10 Sec. 6. APPLICABILITY. This Act applies to collective
11 bargaining agreements and employee benefit plans entered into
12 on or after the effective date of this Act.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with
15 the explanation's substance by the members of the general assembly.

16 This bill requires an employer to grant an employee at least
17 eight hours of leave during any 12-month period to attend
18 school conferences or classroom activities relating to the
19 employee's child if the conference cannot be scheduled outside
20 of the employee's scheduled work hours. The employee must
21 consult with the employer to schedule the leave so as not to
22 unduly disrupt the operations of the employer.

23 The bill defines "employer" as a person who employs 50 or
24 more employees in Iowa. The bill defines "school" as a public
25 or nonpublic school located in Iowa.

26 The bill provides for limitations on the leave requirement,
27 including a limitation of four hours of leave in a 24-hour
28 period and an option for an employer to require use of other
29 forms of leave first.

30 The leave required by the bill need not be paid leave. An
31 employer is prohibited from requiring an employee to make
32 up the time taken for the leave. An employer must make a
33 good-faith effort to permit an employee to make up the time
34 taken.

35 An employer who violates the bill is guilty of a simple

1 misdemeanor. A simple misdemeanor is punishable by confinement
2 for no more than 30 days or a fine of at least \$65 but not more
3 than \$625 or by both.

4 The bill applies to collective bargaining agreements and
5 employee benefit plans entered into on or after the effective
6 date of the bill.